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27 May 1947

The Honorable W. Sterling Cole
House of Representatives
Washington, D. C.

My dear Mr. Cole:

Your letter of 19 May 1947, requesting an expression of judgment and recommendations concerning bills presently before the Congress dealing with the unification of the armed services (H.R. 2319 and H.R. 3469), is acknowledged.

I have recently returned to the United States from a tour of duty as Naval Attaché in Paris. On May first of this year I succeeded Lieutenant General Hoyt S. Vandenberg as Director of the Central Intelligence Group. In this capacity, I have been called upon to give study to H.R. 2319 and H.R. 3469, particularly to those sections relating to the Central Intelligence Agency. Both of these measures establish the Central Intelligence Agency by legislative enactment, replacing the Executive Directive of 22 January 1946, under which the Group presently exists.

It is my considered opinion that Section 202 of H.R. 2319 is preferable to Section 104 of H.R. 3469, in that it merely transfers the present personnel, funds and functions of the Group to the new Central Intelligence Agency. It was felt by those who drafted H.R. 2319 -- and I believe correctly so -- that it would be inappropriate to include detailed enabling legislation for the Central Intelligence Agency within the framework of the unification bill. It has been consistently thought advisable to spell out detailed roles and missions in that measure. It has also been realized that it will be necessary to have extremely detailed legislation concerning the Central Intelligence Agency, setting forth its authorities and including several special authorities which it is felt that this Agency must have.

A study of the intelligence provisions of H.R. 3469 has been made, and I am attaching herewith a memorandum setting forth my conclusions. The provisions of H.R. 3469 do not adequately provide the authorities which the Agency will need, as indicated in the memorandum. In addition, the provision of Section 104 (d) (4) -- that directives adding to the functions of the Agency shall be published in the Federal Register -- will nullify the work of the Agency insofar as security is concerned.

I have addressed these remarks to you at length because of my natural interest in the legislative establishment of the Central Intelligence Agency. As I stated above, I returned to the United States only recently

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and was absent during the period when this bill was being drafted and during the initial stages of the testimony before the House and Senate Committees.

As regards the unification bills as all-over measures, my personal opinion may be briefly stated as follows -- through dint of much talk, a sentiment has been built up which seemingly demands a unification bill of some sort. If this sentiment is actually so strong that a bill must be passed, then I believe that H.R. 2319 represents as good a bill as can be expected. As regards only the provisions for the intelligence set-up, I should prefer H.R. 2319 for the reasons given in the attached memorandum.

Thank you for your kindness in asking me to submit my opinion.

Very sincerely yours,

R. H. MILLER
Rear Admiral, USN
Director of Central Intelligence

2 Incls
Memorandum
Copy, Pres. Directive
22 Jan 46

Distribution:

- ✓ 1 cc Director
- 1 cc Exec. Reg.
- 2 cc Central Records
- 1 cc Mr. Pforzheimer

To the *Congressional Committee on Unification of the Armed Services*
in relation
to the *Central Intelligence Agency*

My dear Mr. Cole:

I am in receipt of your letter of 19 May 1947, requesting an expression of my judgment and recommendations concerning bills presently before the Congress dealing with the unification of the armed services, (H.R. 2319 and H.R. 3469). *as a memorandum*

I have recently returned to the United States from a tour of duty as the Naval Attaché in Paris. On May first of this year I succeeded Lieutenant General Hoyt S. Vandenberg as Director of the Central Intelligence Group. In this capacity, I have been called upon to give ~~close~~ study to H.R. 2319 and H.R. 3469. Both of these measures establish the Central Intelligence Group by legislative enactment, replacing the Executive Directive of 22 January 1946, under which the Group presently exists.

It is my considered opinion that Section 202 of H.R. 2319 is preferable to Section 104 of H.R. 3469, in that it transfers the present personnel, funds and functions of the Group to the new Central Intelligence Agency. It was felt by those who drafted H.R. 2319 -- and I believe correctly so -- that it would be inappropriate to include detailed enabling legislation for the Central Intelligence Agency within the framework of the unification bill. It has been consistently thought inadvisable to spell out detailed roles and missions in that measure. It has also been realized that it will be necessary to have extremely detailed legislation concerning the Central Intelligence Agency, setting forth its authorities and including several special authorities which it is felt that this Agency must have.

A study of the intelligence provisions of H.R. 3469 has been made by ~~me~~, and I am attaching it herewith. These provisions do not adequately provide the authorities which the Agency will need, as indicated in the memorandum. In addition, the provision of Section 104(d)(4) -- that directives adding to the functions of the Agency shall be published in the Federal Register -- will seriously hamper the work of the Agency insofar as security is concerned.

I have addressed these remarks to you at length because of my natural interest in the legislative establishment of the Agency which I head. As I stated above, I returned to the United States only recently and was absent during the period when this bill was being drafted and during the initial stages of the testimony before the House and Senate Committees. However, it is my personal feeling that H.R. 2319 effects a very well considered compromise between the points of view of the Army, the Navy and the Air Forces. It appears to be extremely workable and I do not hesitate to give it my support.

Sincerely yours,

As regards the misification bills as all-over measures, my personal opinion may be briefly stated as follows: — Through dint of much talk, ~~an~~ ^{one} a sentiment has been built up which seemingly demands a misification bill of some sort. If this sentiment is actually so strong that a bill must be passed then I believe that either H.R. 2319 or H.R. 3469 represents as good a bill as can be expected. As regards only the provisions for the intelligence set-up; I should prefer H.R. 2319 for the reasons given in the attached memorandum.

Thank you for your kindness in asking me to submit my opinion.

Very sincerely yours

W. Sterling Cole

39th District Approved For Release 2003/04/18 : CIA-RDP80R01731R001600030073-6

Committee:

House of Representatives Services

Washington, D. C.

Joint Committee on
Atomic Energy

May 19, 1947.

Rear Admiral Roscoe H. Hillenkoetter
Office Secretary of Navy
Navy Department
Washington, D. C.

Dear Admiral Hillenkoetter:

As you know, the Congress has under consideration a bill (HR 2319) which represents the plan of the War and Navy Departments relative to the consolidation of the armed services, pursuant to the directive of the President. In my opinion this is the most important measure to come before the Congress so far as our national defense and national security are concerned.

While it is true that the official position of the Navy Department is in support of the plan, substantial critical and apprehensive expressions on the subject have come to me from responsible persons in all of the services. As a practical matter, it is impossible for all of those who are vitally interested in this problem from the standpoint of national security to appear before an appropriate committee of the Congress to give expression to their views. Accordingly, my purpose in writing to you is to seek an expression as to your judgment and recommendations with regard to the proposed plan, or an alternative plan. A copy of H.R. 2319, and also of H.R. 3469, the latter representing my own personal suggestion of an alternative, are inclosed.

I am sure that all will agree that some steps should be taken in order to bring about a closer co-ordination of army, navy, and air force operations. The pattern of this step is the important factor. Because of your knowledge of the subject and your years of service experience, I am seeking your advice.

Also, inclosed herewith are copies of communications exchanged between the Secretary of Navy and myself with regard to the latitude of expression available to members of the service. From this exchange, I hope you will find it possible to express yourself freely and without hesitation. If it is your wish, your response will be held by me as confidential; otherwise, I shall feel free to release your reexpression to the Congress.

In view of the fact that action may be taken by the Congress on this subject in the near future, I hope that I may have the benefit of your reply at an early date.

Very truly yours,

/s/ W. Sterling Cole

P.S. What is the opinion of the men in the service on this question?

Distribution:

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